

Message Text

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PAGE 01 STATE 256249

46

ORIGIN L-02

INFO OCT-01 EUR-12 EA-06 IO-10 ISO-00 OES-03 COA-01 DLOS-03

INT-05 EB-07 COME-00 TRSE-00 CG-00 DOTE-00 AEC-05

OMB-01 JUSE-00 CIEP-01 CEA-01 FMC-01 CIAE-00 DODE-00

PM-03 H-01 INR-05 NSAE-00 NSC-05 PA-01 RSC-01 PRS-01

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DRAFTED BY L/OES:SJBURTON:MERS

APPROVED BY L - GEORGE H. ALDRICH

L/OES - BERNARD H. OXMAN

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EA/J - RDEMMING

EUR/NE - CFLOYD

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FM SECSTATE WASHDC

TO AMEMBASSY TOKYO PRIORITY

AMEMBASSY BRUSSELS PRIORITY

INFO AMEMBASSY LONDON PRIORITY

USMISSION USUN NEW YORK

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LONDON FOR JOHN NORTON MOORE

E.O. 11652: N/A

TAGS: PLOS

SUBJECT: CLAIM OF EXCLUSIVE MINING RIGHTS BY DEEPSEA
VENTURES

1. THE DEPARTMENT OF STATE RECEIVED ON NOVEMBER 15, 1974

A LETTER FROM MR. JOHN E. FLIPSE, PRESIDENT OF DEEPSEA
VENTURES, INC., WHICH PURPORTS TO BE A QUOTE NOTICE OF
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PAGE 02 STATE 256249

DISCOVERY AND CLAIM OF EXCLUSIVE MINING RIGHTS AND REQUEST

FOR DIPLOMATIC PROTECTION AND PROTECTION OF INVESTMENT, BY DEEPSEA VENTURES, INC. UNQUOTE. THIS QUOTE CLAIM UNQUOTE IDENTIFIES AN AREA IN THE EASTERN PACIFIC OCEAN THAT IS BEYOND THE NATIONAL JURISDICTION OF ANY STATE AND ASSERTS THAT DEEPSEA VENTURES, INC. QUOTE HAS DISCOVERED AND TAKEN POSSESSION OF, AND IS NOW ENGAGED IN DEVELOPING AND EVALUATING, AS THE FIRST STAGES OF MINING, A DEPOSIT OF SEABED MANGANESE NODULES UNQUOTE. DEEPSEA VENTURES ASSERTS THE EXCLUSIVE RIGHTS TO DEVELOP, EVALUATE AND MINE THE DEPOSIT AND TO TAKE, USE AND SELL ALL OF THE MANGANESE NODULES IN, AND THE MINERALS AND METALS DERIVED THEREFROM.

2. DEEPSEA VENTURES SUBMISSION TO THE DEPARTMENT STATES STOCK OPTIONS ARE OUTSTANDING WHICH, IF EXERCISED, WILL RESULT IN ACQUISITION OF FOLLOWING PERCENTAGE OF DEEPSEA'S CAPITAL STOCK BY OTHERS:

23.75 -- ESSEX IRON COMPANY, A SUBSIDIARY OF UNITED STATES STEEL CORPORATION.

23.75 -- UNION MINES INC., A SUBSIDIARY OF UNION MINIERE, S.A., A BELGIAN CORPORATION.

23.75 -- JAPAN MANGANESE NODULE DEVELOPMENT CO.

3. DEPT HAS PREPARED FOLLOWING PRESS GUIDANCE FOR USE IN RESPONSE TO QUESTIONS ONLY:

Q. DO YOU HAVE ANY COMMENT ON A DEEP SEABED MINING CLAIM FILED WITH THE STATE DEPARTMENT BY DEEPSEA VENTURES, INC?

A. THE DEPARTMENT OF STATE DOES NOT GRANT OR RECOGNIZE EXCLUSIVE MINING CLAIMS ON THE SEABEDS BEYOND THE LIMITS OF NATIONAL JURISDICTION. INTERNATIONAL LAW DOES NOT, IN OUR VIEW, PROHIBIT DEEP SEABED MINING, AND THOSE INTERESTED ARE FREE TO DO SO. A WIDELY ACCEPTED LAW OF THE SEA TREATY IS THE BEST WAY TO DEAL WITH THIS PROBLEM, AND WE ARE WORKING FOR THIS LIMITED OFFICIAL USE

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PAGE 03 STATE 256249

NOW.

OUR EXPERTS HAVE PREPARED A MORE DETAILED WRITTEN STATEMENT FOR THOSE OF YOU WHO ARE INTERESTED.

STATEMENT ON CLAIM OF EXCLUSIVE MINING RIGHTS BY DEEPSEA VENTURES, INC.

THE DEPARTMENT OF STATE RECEIVED ON NOVEMBER 15, 1974, A LETTER FROM MR. JOHN E. FLIPSE, PRESIDENT OF DEEPSEA VENTURES, INC., DESCRIBED AS A QUOTE NOTICE OF DISCOVERY AND CLAIM OF EXCLUSIVE MINING RIGHTS AND REQUEST FOR DIPLOMATIC PROTECTION AND PROTECTION OF INVESTMENT, BY DEEPSEA VENTURES, INC. UNQUOTE. THIS CLAIM IDENTIFIES AN AREA IN THE EASTERN PACIFIC OCEAN THAT IS BEYOND THE NATIONAL JURISDICTION OF ANY STATE AND ASSERTS THAT DEEPSEA VENTURES, INC. QUOTE HAS DISCOVERED AND TAKEN POSSESSION OF, AND IS NOW ENGAGED IN DEVELOPING AND EVALUATING, AS THE FIRST STAGES OF MINING A DEPOSIT OF SEABED MANGANESE NODULES. UNQUOTE. DEEPSEA VENTURES ASSERTS THE EXCLUSIVE RIGHTS TO DEVELOP, EVALUATE AND MINE THE DEPOSIT AND TO TAKE, USE AND SELL ALL OF THE MANGANESE NODULES IN, AND THE MINERALS AND METALS DERIVED THEREFROM.

THE DEPARTMENT OF STATE DOES NOT GRANT OR RECOGNIZE EXCLUSIVE MINING RIGHTS TO THE MINERAL RESOURCES OF AN AREA OF THE SEABED BEYOND THE LIMITS OF NATIONAL JURISDICTION.

THE APPROPRIATE MEANS FOR THE DEVELOPMENT OF THE LAW OF THE SEA IS THE THIRD UNITED NATIONS CONFERENCE ON LAW OF THE SEA AND NOT UNILATERAL CLAIMS. THE UNITED STATES SUPPORTS THE ACHIEVEMENT OF A WIDELY ACCEPTABLE AND COMPREHENSIVE LAW OF THE SEA TREATY IN 1975 THAT WOULD INCLUDE A REGIME AND MACHINERY FOR THE EXPLORATION FOR AND EXPLOITATION OF THE MINERAL RESOURCES OF THE DEEP SEABED BEYOND THE LIMITS OF NATIONAL JURISDICTION.

THE POSITION OF THE UNITED STATES GOVERNMENT ON DEEP OCEAN MINING PENDING THE OUTCOME OF THE LAW OF THE SEA CONFERENCE IS THAT THE MINING OF THE SEABED BEYOND THE LIMITS OF NATIONAL JURISDICTION MAY PROCEED AS A FREEDOM LIMITED OFFICIAL USE

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PAGE 04 STATE 256249

OF THE HIGH SEAS UNDER EXISTING INTERNATIONAL LAW.

4. REQUEST AMEMBASSIES BRUSSELS AND TOKYO INFORM GOJ AND GOB THAT DEPT HAS RECEIVED CLAIM, INFORM OF REFERENCE TO FOREIGN COMPANIES AND INFORM OF GUIDANCE QUOTED PARA 3. IF GOJ OR GOB DESIRE COPIES OF RELEVANT DOCUMENTS, THEY ARE AVAILABLE FROM L. DEEPSEA VENTURES APPARENTLY INTENDS TO PROVIDE COPIES OF THE CLAIM TO BELGIAN AND JAPANESE EMBASSIES WASHINGTON.

5. FOR LONDON: PROF. MOORE MAY WISH TO INFORM U.K. AND OTHER DELS AS APPROPRIATE OF CLAIM FILED AND DEPARTMENT REACTION. INGERSOLL

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To: TOKYO BRUSSELS
Type: TE
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